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TOWNSEND and TOWNSEND and CREW LLP

By: 

**AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE –
EXAMINING GROUP 3739**

PATENT

Attorney Docket No.: 022122-000410US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

BRIAN N. PIERCE

Application No.: 10/789,948

Filed: February 26, 2004

For: DISINFECTION, DESTRUCTION OF
NEOPLASTIC GROWTH, AND
STERILIZATION BY DIFFERENTIAL
ABSORPTION OF
ELECTROMAGNETIC ENERGY

Customer No.: 20350

Confirmation No.: 5787

Examiner: Johnson III, Henry M.

Art Unit: 3739

**AMENDMENT NO. 3
SUBMISSION UNDER 37 CFR
1.116 EXPEDITED PROCEDURE
EXAMINING GROUP 3739**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following is offered in response to the Office Action of September 14, 2007.

Reconsideration of the application is respectfully requested.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.